

**IN THE PROBATE COURT OF MAHONING COUNTY, OHIO
JUDGE TIMOTHY P. MALONEY**

**IN THE MATTER OF THE GUARDIANSHIP
OF:** _____

Case No. _____

STATEMENT IN LIEU OF GUARDIAN'S ACCOUNT
[Local Rule 64.5(B)]

Now comes _____, the duly appointed Guardian/Attorney of Record for the within Estate and represents:

☐ That no account is required under O.R.C. §2109.302 (B) (1) as the only asset of the Estate is real property, or the personal property of the Estate is held by a financial institution under restrictive Court Orders authorizing expenditures of not more than \$10,000.00 annually for the benefit of the Ward, or a combination of the foregoing.

☐ That no assets were ever actually received and/or disbursed by the Guardian. (Explain) _____

☐ That good cause exists by which the Court, as the superior guardian pursuant to O.R.C. §2111.50, may waive the necessity of an account, to wit: _____

☐ That there are no creditors' claims outstanding against this Estate which could be satisfied as no assets exist or remain, that the Guardian and Attorney specifically waive any fees and/or reimbursements hereunder and that the Guardian/ Attorney represent that any court costs due shall be fully paid.

☐ That the within Estate is not subject to any federal law or administrative regulation which would prohibit this Court from waiving the necessity of an account.

[WARNING: False representations may result in criminal, civil and/or administrative penalties being imposed against the Guardian and/or the Attorney, including those sanctions applicable under Civ. R. 11, Sup. R. 77, 78, the Code of Professional Responsibility, or for contempt].

Dated: _____

Attorney Name

Guardian (If Applicable)

Typed or Printed Name

Typed or Printed Name

Full Address (No P. O. Boxes)

Full Address (No P. O. Boxes)

Area Code/ Phone

Area Code/ Phone

Attorney Registration No. : _____

Upon consideration of the factors presented by the Guardian's/Attorney's *Statement In Lieu of Guardian's Account* filed this date,

FINDINGS:

- ☐ **That a full accounting is required and may not be waived.**
- ☐ That no accounting is required under O.R.C. §2109.302 (B) (1).
- ☐ That no assets were ever received/disbursed by the Guardian
- ☐ That good cause exists by which this Court, as the superior guardian pursuant to O.R.C. §2111.50, may waive the necessity of an account.
- ☐ That there are no creditors' claims outstanding against the Estate which could be satisfied therefrom as no assets exist or remain, that Guardian and Attorney fees are specifically waived hereunder and that the final court costs are secured to be paid.
- ☐ That the Estate is not subject to any federal law or administrative regulation which would prohibit this Court from waiving the necessity of an account.

ORDERS:

- ☐ **That a full accounting be rendered by the Guardian/Attorney not later than the _____ day of _____, 20_____.**
- ☐ That the Guardian's/Attorney's *Statement In Lieu of Guardian's Account* be approved and Ordered to record.
- ☐ That future accountings are waived under the provisions of O.R.C. §2109.302(B) (1), unless otherwise Ordered by the Court.
- ☐ That the Guardianship of the within ☐ Estate ☐ Person and Estate be terminated and closed upon the docket and records of this Court and that the final court costs are to be paid by _____.
- ☐ If necessary, that new Letters of Authority as to the Guardianship of the Person only be issued to the appropriate person.
- ☐ That the bond previously required upon the Guardian's service to the within Estate be discharged and that written notice thereof be given to the surety.
- ☐ That the present Guardian of the Estate be discharged from his/her trust.
- ☐ That all notice hereof, other than the written notice required upon the surety, be dispensed with as unnecessary.
- ☐ That notice by publication shall be given to interested parties.

IT IS SO ORDERED.

Magistrate

Dated: _____

Hon. Timothy P. Maloney, Judge